

FEB 25 2009

JOHN F. CORCORAN, CLERK
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

LEON MCNEAL HICKS,
Petitioner,

V.

GENE M. JOHNSON,
Respondent.

Civil Action No. 7:08-cv-00271


FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that respondent's motion to dismiss is **GRANTED**; the above referenced 28 U.S.C. § 2254 petition is **DISMISSED**; and this action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This 27th day of February, 2009.


United States District Judge